

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

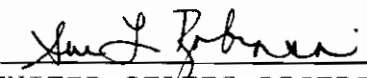
REGINALD HARRIS,)	
)	
Petitioner,)	
)	
v.)	Civ. A. No. 06-430-SLR
)	
THOMAS L. CARROLL, Warden, and)	
CARL C. DANBERG, Attorney)	
General of the State of)	
Delaware,)	
)	
Respondents.)	

O R D E R

At Wilmington this ~~5~~^{5th} day of September, 2006;

IT IS ORDERED that:

Petitioner Reginald Harris' "motion to amend motion to 'stay and abey'" is DENIED as moot. (D.I. 7) On August 21, 2006, the court denied petitioner's original motion to stay his habeas proceeding (D.I. 4) when it dismissed petitioner's mixed habeas application in its entirety without prejudice for failure to exhaust state remedies. (D.I. 5) Petitioner's instant motion to amend his prior motion to stay and abey only adds new unexhausted claims; it does not provide any further reasons justifying a stay of his exhausted habeas claims. Thus, the court still concludes that the timeliness of a future application is not jeopardized by the dismissal of his mixed application.


UNITED STATES DISTRICT JUDGE